SEMINOLE COUNTY GOVERNMENT BOARD OF ADJUSTMENT AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 30 feet to 18.3 feet for a

proposed addition in the PUD (Planned Unit Development District); (Albert

Flores, applicant).

DEPARTMENT:	Planning & Dev	elopment	_ DIVISION:	Plann	ing
AUTHORIZED BY:	Kathy Fall	CONTACT:	Ian Sikonia	EXT.	7398
Agenda Date 6/26/0	06 Regular ⊠	Consent	Public Heari	ng – 6:00	\boxtimes

MOTION/RECOMMENDATION:

- APPROVE the request for a rear yard setback variance from 30 feet to 18.3 feet for a proposed addition in the PUD (Planned Unit Development District); or
- DENY the request for a rear yard setback variance from 30 feet to 18.3 feet for a proposed addition in the PUD (Planned Unit Development District); or
- 3. **CONTINUE** the request to a time and date certain.

GENERAL	Applicant:	Albert Flores
INFORMATION	Owner:	Norman & Susan Burlakos
	Location:	131 Habersham Drive
	Zoning:	PUD (Planned Unit Development District)
	Subdivision:	Wekiva Hills
BACKGROUND / REQUEST	The applicant proposes to construct an addition the encroaches 21 feet 9 inches into the minimum 30 for rear yard setback; the aforementioned rear yard setback variance is thereby requested.	
	 The applicant proposes to add a two story addition to the existing single-family home with a second story open deck. 	
		re currently no code enforcement or building for this property.

	 There is no record of prior variances for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:
	 No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.
	 The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.
	 The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.
	 The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.
STAFF RECOMMENDATION	 Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. If the board should decide to grant a variance, staff recommends the following conditions of approval:
	Any variance granted shall apply only to the proposed addition as depicted on the attached site plan; and
	 Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.

ekiva Hills 6 (PUD) 7.98 acres - 69 lots agnolia Service Corporation 31-20-29 That Flowed Harris 6-21-29 BCC 18/Jan/78 Plat 21,24, 25

- Fire: \$10.00 per residential Building permit to Seminole County Fire Control Unit at time of issuance of each building permit. (Para VII-2B)
- 2. School: \$300.00 per unit due at time of issuance of each building permit. Value of 2-15 acres school sites to be applied against payment of individual units. (Para VII-la & b)
- 3. Type Bldg. Minimum lot size Minimum Setback Maximum Hgt. 8400 Sq. Ft. single fam. ACCESSORY RY 10' SY10'
- 4. No minimum Size for Dwelling.





MARIANCE REQUEST

and correct to the best of my knowledge.

SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT PLANNING DIVISION 1101 EAST FIRST STREET SANFORD, FL 32771 APPL.NO. BV 2006-081 (407) 665-7444 PHONE (407) 665-7385 FAX

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

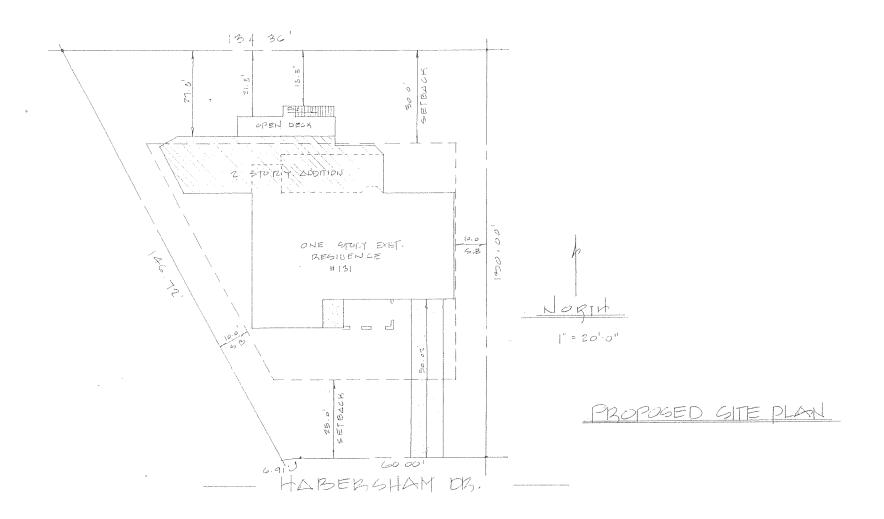
APPLICATION TYPE:

O WITHING REQUEST FOR REAR YAM SETBACK VANANCE
SPECIAL EXCEPTION
n4-24-06P02:U,
O SE DWELLING UNDER CONSTRUCTION O MEDICAL HARDSHIP
O NIGHT WATCHMAN O FAMILY HARDSHIP
O YEAR OF MOBILE HOME / RV (EXISTING) (PROPOSED)) O SIZE OF MOBILE HOME / RV O TIME NEEDED
O PLAN TO BUILD O YES O NO IF SO, WHEN
O APPEAL FROM DECISION OF THE PLANNING MANAGER
PROPERTY OWNER AUTHORIZED AGENT *
NAME NORMANT. BURLAKOS ALBERT FLOILES ADDRESS 131 HUBERSHOM DR. SUI HAMES AU
PHONE 1 407- 788-2263 (407) 6/6-4582
PHONE 3 407-788-2263 (407) 6/6-4582 PHONE 2 C-LL 407-325-5632 (407) 650-0013
E-MAIL NBURLOKS @ AUL. com
PROJECT NAME:
SITE ADDRESS: SAME AS ABOVE
CURRENT USE OF PROPERTY: RESIDENTIAL
LEGAL DESCRIPTION: SÉE ATTACHED PROPERTY APPRAISENS SHÉET.
America
SIZE OF PROPERTY: acre(s) PARCEL I.D. 31-20-29-5EJ-0000 - 016
UTILITIES: @ WATER O WELL @ SEWER O SEPTIC TANK O OTHER
KNOWN CODE ENFORCEMENT VIOLATIONS NONE
THE THE PROPERTY OF THE PARTY O
IS PROPERTY ACCESSIBLE FOR INSPECTION & YES O NO
This request will be considered at the Board of Adjustment regular meeting on 6/26/06
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.
I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true

an O. Bull

ADDUTED VAR VARIANCES VARIANCE 2: VARINACE 3. VARIANCE 4: VARIANCE 5. VARIANCE 6. VARIANCE 7. APPEAL FROM BOA DECISION TO BCC APPELLANT INFORMATION NAME ADDRESS PHONE 1 PHONE 2 E-MAIL NATURE OF THE APPEAL APPELLANT SIGNATURE FOR OFFICE USE ONLY PROCESSING: FEE(S): 156-00 COMMISSON DISTRICT FLU / ZONING BCC HEARING DATE

LOCATION FURTHER DESCRIBED AS Admin 5 TO THE acet DATE PLANNING ADVISOR SUFFICIENCY COMMENTS





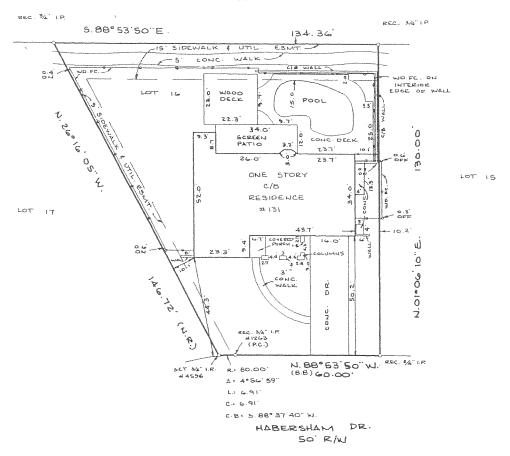
LE EVATION

PLAT OF LAND SURVEY FOR and/or CERTIFIED TO: Norman T. & Susan O. Burlakos Mortgagee Title Services, Inc.

Navy Orlando Federal Credit Union

DESCRIPTION AS FOLLOWS: Lot 16, WEKIVA HILLS SECTION SIX, as recorded in Plat Book 21, Pages 24 $\stackrel{\circ}{a}$ 25, Public Records of Seminole County, Florida.

> HOT PLATTED



GRUSENMEYER-SCOTT & ASSOC., INC. — LAND SURVEYORS

PLAT INCH TO COMMENT T

THIS BUILDING/PROPERTY I LIE WITHIN THE ESTABLISHED 100 YEAR FLOOD PLANE AS PER "FIRM" ZONE " C "

PANEL # 120289 01053 (5-5-81)



ORLANDO OFFICE 5400 E. COLONIAL DR. ORLANDO, FL 32807 (407) 277-3232 FAX. (407) 658-1436

OCALA OFFICE 12200 N.W. CNTY, RD. 225 REDDICK, FL 32666 (904) 591-3084 FAX. (904) 591-4478

- NOTES

 1. THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL
 STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER
 21 HH-4 FLORIDA ADMINISTRATIVE CODE PURSLUANT TO CHAPTER 472-207, FLORIDA STATUTES
- UNLESS EMBOSSED WITH SURVEYOR'S SEAL, THIS SURVEY IS NOT VALID AND IS PRESENTED FOR INFORMATIONAL PURPOSES ONLY.
- 2 THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR, THERE MAY BE OTHER RESTRICTIONS OR EASEMENTS THAT AFFECT THIS PROPERTY.
- 4. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
 5. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
- & DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO REFORSTRUCT BOUNDARY LINES.
- RE "ANOTHOUS BOUNDARY CIRES.

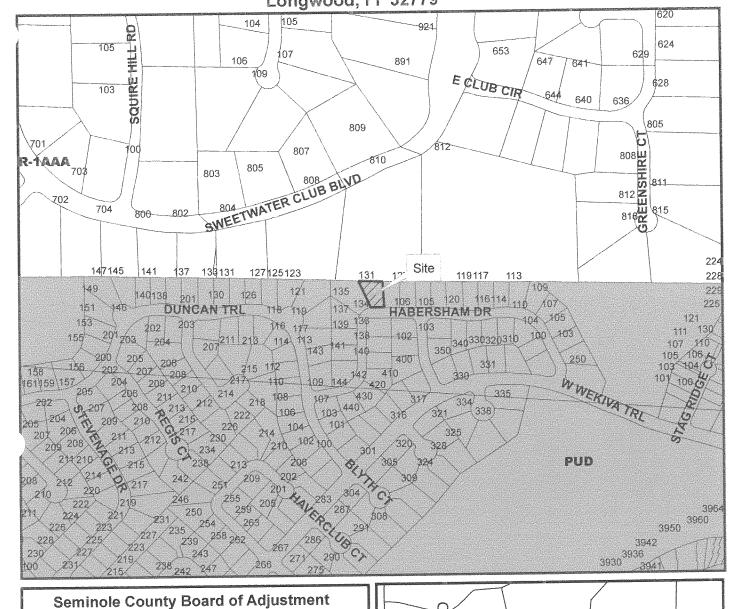
 8.E.-HINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BASE BEARING (B.B.)

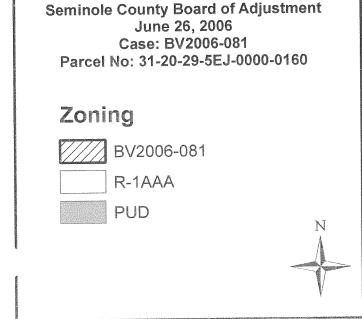
 8. ELEVATIONS, IF SHOWN, ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, UNLESS
 CHICAMUSE NOTED.

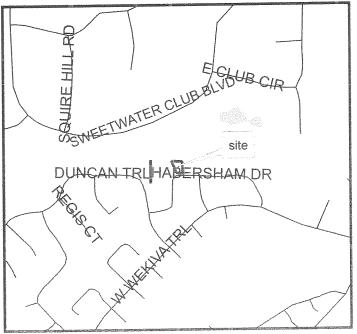
CERTIFIED BY: BLS No 47/4 DATE SIGNED: 6-//-93
TOM C GRUSENHEVER R.L.S. No. 1542
PAUL L. DEATER: R.L.S. No. 4540
TOM X. GRUSENHEVER, R.L.S. No. 4714
RICHARD E. FISCHER, R.L.S. No. 4616
JAMES W. SCOTT, R.L.S. No. 4801
E.R. BROWN, R.L.S. No. 3894

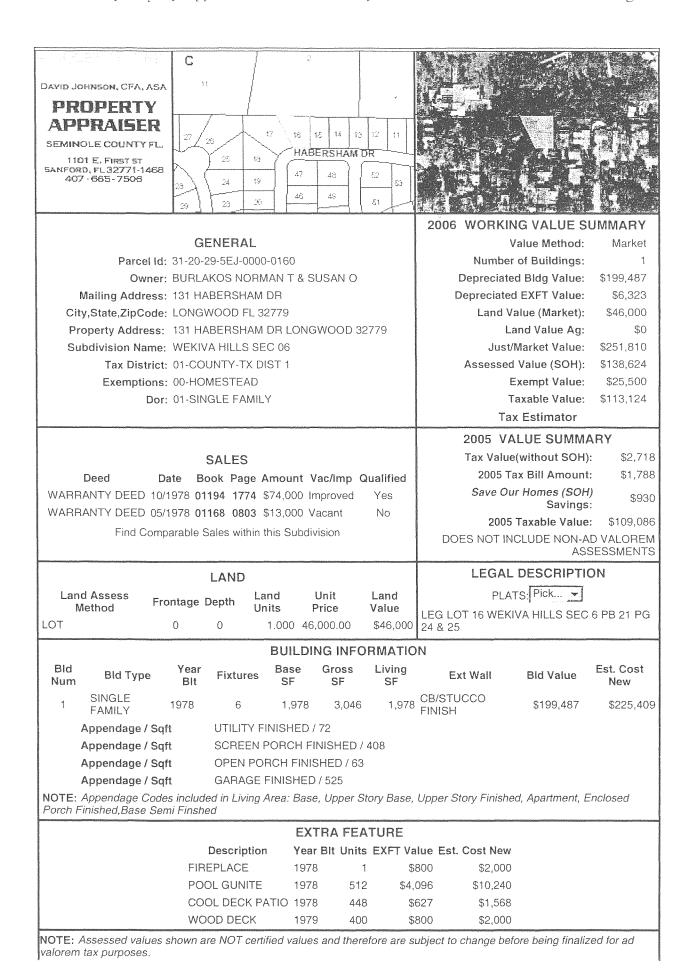
SCALE -	1" : 30
FIELD DATE	ORDER No.
600HDARY 6-15-93	D-4747
takan arina manana garina (ilin kenduruma anarin kidalik nebber 1960 verbulan appananan	
DRAWN BY: D.	CHECKED BY: C.

Albert Flores 131 Habersham Dr Longwood, Fl 32779









http://www.scpafl.org/pls/web/re_web.seminole_county_title?PARCEL=3120295F100000

To Whom It May Concern:

My wife Susan and I custom designed and built our home 28 years ago in the sub-division of Wekiva Hills, sec 6, lot 16. Throughout the years we have make a number of improvements into the home and now have the need to expand. We had considered moving into a larger home elsewhere but I'm retired now and with the price of homes soaring the way they have we find it a hardship to even purchase a similar home at the market price today.

We decided to put an approximate additional 1000 sq ft addition onto the home that would encompass a partial 2d story. This expansion in its entirety is on the backside of the house. Our problem is that the 2d story addition is encroaching approximately 5 feet onto our property that has been determined as easement to sidewalk areas in the Wekiva Subdivision. This request is asking that the zoning board approve us the right to use of this 5 foot encroachment. We have a similar home on our block that has had to do the same request and approved. This location is 136 Habersham Drive.

Our architect, Mr. Albert Flores has all the detail into this request and we our submitting pictures of the land that would give you a clearer understanding of the issue at hand.

Your consideration is so very much appreciated.

Norm and Susan Burlakos

Mamen 1 Sintoh

Heave slick anymhere on this form and then print is amad. Wekiva Hunt Club Community Association

Architectural Control Committee Exterior Improvement Approval Form

Section 1: Name and Location	
Name:	
NORMAN BUNLAKOS & SUSAN O.	D042405
Mailing Address (if different from property);	
Property Address:	
131 HABENSHAM DRIVE	State: Zip:
City:	State: Zip: 32779
Day Phone:	Evening Cell Phone
	Phone: (401) 739 - 7597
Section 2: Change Descriptions (include dimensions. materials, colo	
REAR ADDITION TO THE EXISTING HOW	KE. REFER TO
ATTACHED DWGS FOR LOCATION AND	
EXTENION FINISH WILL BE STUCLO TO MATE	
PAINT COLOR WILL BE SIMILAR EARTH;	
REFER TO THE ATTACHED PHOTOGRAPH OF Section 3: Request for Approval EXTENDING DIALL	TITE EXISTING HOUSE
Section 3: Request for Approval EXTENDING WALL	FOR DECK AREA
I request approval to make the above changes. I understand that some types require County Permits and I will acquire any required permits prior to mak	of changes ing the above changes.
Signed Di	ite / 12
Section 4: Approval or Denial (WHCCA ONLY)	
[i] Approved	Received
Approved - subject to the following:	
[] Denied - comments:	
	MAY 23 2008 1 H
	W/// 29 1500
Signed (WHCCA ACC): Signed (WHCCA ACC): Signed (WHCCA ACC): Signed (WHCCA ACC): Signed Accident to the signed acci	Date:
Instructions: Changes must be completed within 120 days from the date of approval. If more t	

nstructions: Changes must be completed within 120 days from the date of approval. If more time is needed you must submit a written request for a extension. Please fill out sections 1,2 and 3. Attach a plot survey showing locations of changes. For paint color, please attach "color chips" with the colors desired clearly marked (larger samples may be requested). If construction is to occur in an easement, an additional form is also required. This form will be returned via U.S. Mail either approved or denied within 30 days from the date received. You may contact the association office at (407) 774-6111 if you have any questions. Please return this form and required attachments to:

Weldva Hunt Club Community Association, Inc.-ACC 239 Hunt Club Blvd. Suite 101
Longwood, FL 32779-7115

Sikonia, lan

From: NBurlakos@aol.com

Sent: Tuesday, June 13, 2006 11:08 AM

To: Sikonia, lan

Cc: albertflores@bellsouth.net

Subject: Permission to speak (Albert Flores)

June 13, 2006

Ref: 131 Habersham Drive

Variances BV2006-81

From: Norman T. and Susan O. Burlakos

131 Habersham Drive Longwood, Fla 32779

Dear Mr. Skonia,

The purpose of this email is to give written notice that both my wife and I give permission to have our architect Mr. Albert Flores speak on our behalf regarding all issues pertaining to the details of the drawings and details of measurement at the Board of Adjustment meeting being held on June 26, 2006.

Should you need anything further to allow this to happen, please write or call us at the given contact information below.

Thank you for your consideration.

Norm and Suzie Burlakos

Email: Nburlakos@aol.com

Phone: 407-788-2203 Cell: 407-739-7597 SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 26, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 16 WEKIVA HILLS SEC 6 PB 21 PG 24 & 25

(The aforedescribed legal description has been provided to Seminole County by the owner of the aforedescribed property.)

FINDINGS OF FACT

Property Owner: Norman Burlakos

131 Habersham Dr. Longwood, Fl 32779

Project Name:

Habersham (131)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 18.3 feet for a proposed addition in the PUD (Planned Unit Development District).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforedescribed property.

Prepared by: Ian Sikonia, Planner 1101 East First Street Sanford, Florida 32771 FILE NO.:

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
 - (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - 1. The variance granted will apply only to the proposed addition as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforedescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
 - (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

6-081	DEVELOPMENT ORDER #	06 30000079

Done and Ordered on the date first written	n above.
Ву:	Tony Walter Planning Manager
STATE OF FLORIDA) COUNTY OF SEMINOLE)	
and County aforesaid to take a	e me, an officer duly authorized in the State cknowledgments, personally appeared ally known to me or who has produced the foregoing instrument.
WITNESS my hand and official seal inday of, 2006.	the County and State last aforesaid this
Afo	cary Public, in and for the County and State rementioned Commission Expires: